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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,479	06/19/2003	Seiya Asano	3702/0M969US0	6321

7278 7590 12/13/2005

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EXAMINER	
NGUYEN, XUAN LAN T	
ART UNIT	**PAPER NUMBER**
3683	

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/600,479	ASANO ET AL.	
	Examiner	Art Unit	
	Lan Nguyen	3683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 September 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3 and 6-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3 and 6-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 October 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-3 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicholson (GB 2364558 A) in view of Noboru et al. (JP 11-153180).

Re: claim 1, Nicholson shows a vibration isolating bushing in figure 1, as in the present invention, comprising: a main shaft member 10 including a tubular portion, a flange portion, as marked below, extending radially outwardly from one end of the tubular portion, and a block portion 13 provided on a central portion of the tubular portion and distanced from the flange portion in an axial direction of the main shaft member; an outer cylinder member 11 disposed coaxially on an outer side of the main shaft member in a distance therefrom; and a rubber elastic body 12 disposed between the main shaft member and the outer cylinder member integral connection of the main shaft member and the outer cylinder member, said rubber elastic body including a hollow portion, as marked below, which is open in an end face away from the flange portion and extends in the axial direction; wherein the rubber elastic body further includes non-deforming rubber portion, please see the figure below, and a connecting portion, see the figure below; the non-deforming rubber portion fills a gap between the

flange portion and an end face of the block portion facing the flange portion in the axial direction and is substantially undeformable with respect to an application of an axial load; the connecting portion is positioned between a bottom the hollow portion and the end face of the rubber elastic body on the side of the flange portion, for connecting the non-deforming rubber portion and an inner peripheral surface of an end portion of the outer cylinder member. Nicholson is silent of the cross-sectional shapes of the hollow portion and the block portion as claimed. Noboru et al. teach a vibration isolation bushing, especially a cross-sectional shapes of a hollow portion and a block portion, in figures 2 and 4. In figure 4, the hollow portion 74 extends to a vicinity of an end face of a block portion 78. In figure 2, the hollow portion 74 directly surrounds the block portion extending circumferentially and over a side surface to the main shaft member 56. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Nicholson's bushing with cross sectional shapes of a hollow portion and a block portion such as taught by Noboru et al. in order to provide a softer ride since it is well known in the art of dampening to change the spring constant of the elastomer member in order to achieve a desired dampening results as evidenced by Norobu et al.

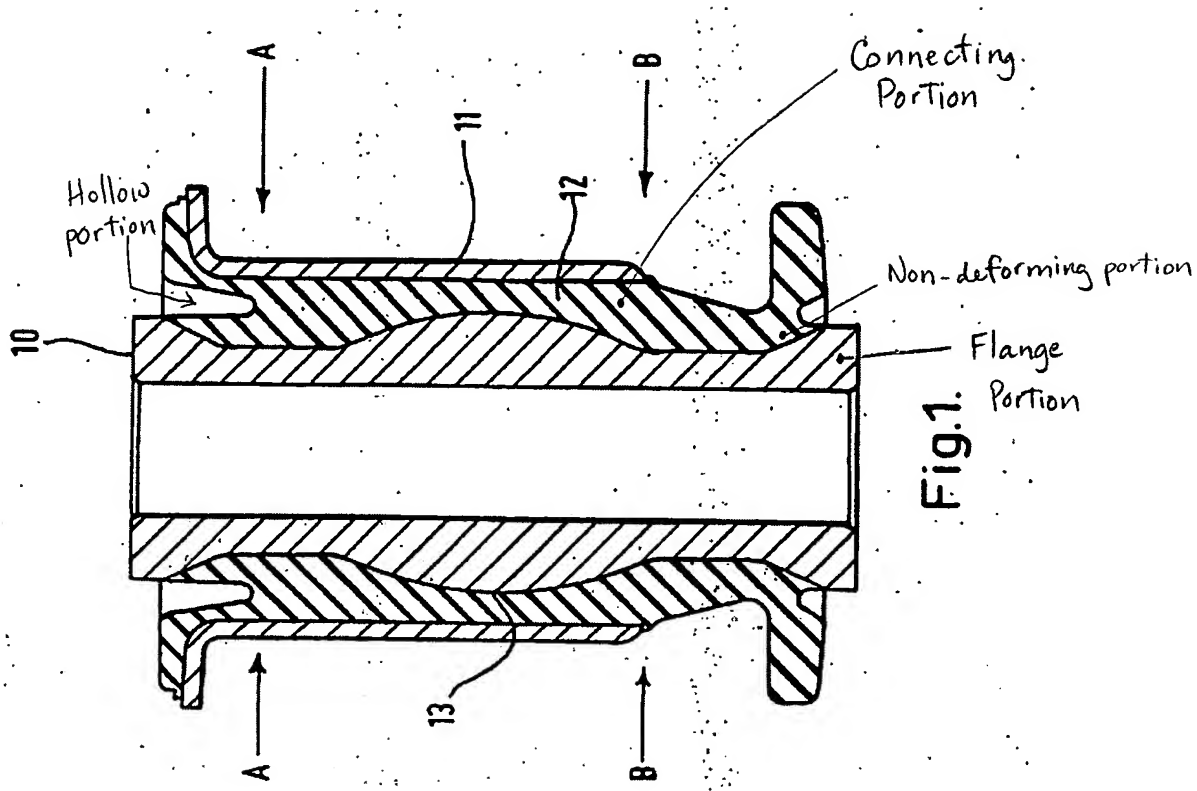
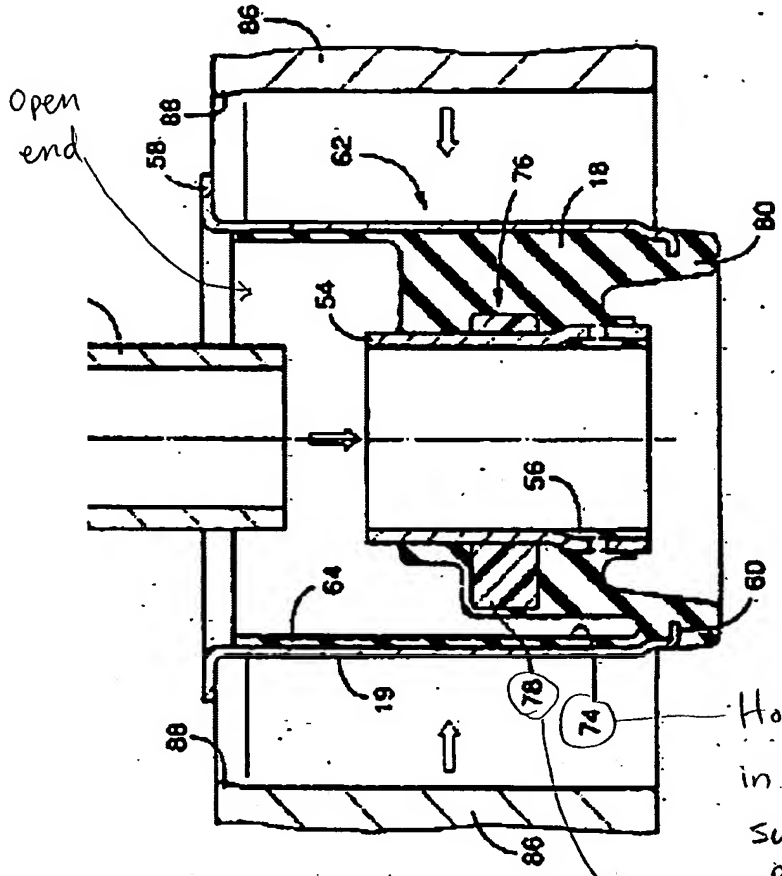
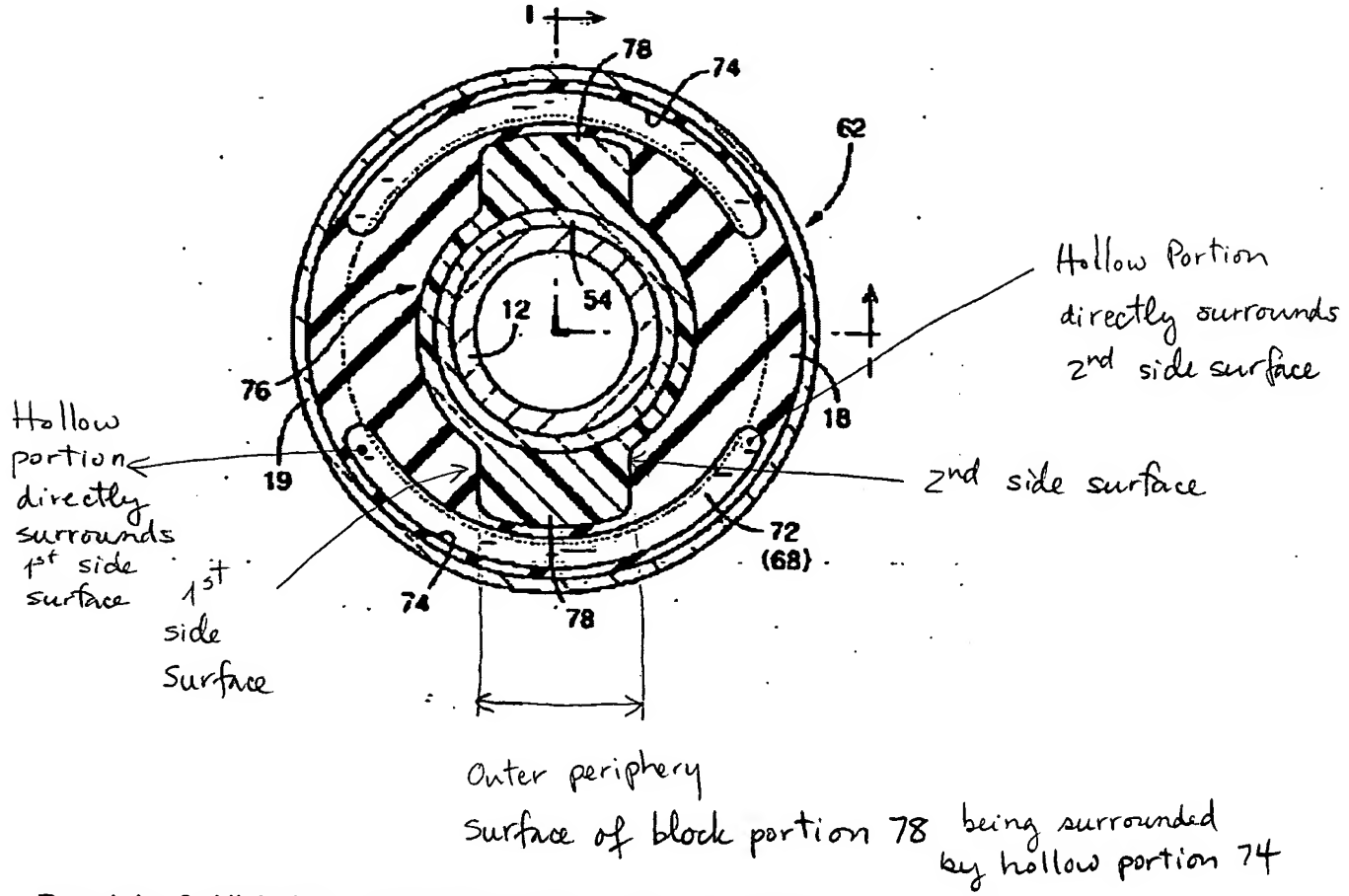

A
B
11
12
Connecting Portion
Hollow portion
Non-deforming portion
10
Flange Portion
13
A
B

Fig.1.


86
Open end
88
58
62
76
18
80
54
56
64
60
19
78
74
88
86
Hollow portion extending in the axial direction to surround the block portion.
Block portion

【図2】



Re: claim 2, Nicholson shows the radial outer peripheral surface of the block portion 13 to be located more inwardly than an outer peripheral end of the flange portion.

Re: claim 3, Nicholson further shows the connecting portion to be offset inwardly compared to the non-deforming portion.

Re: claim 6, Noboru shows in figure 4 hollow portion 74 directly surrounds the side surface which extends along the axial direction, see marked up figures above.

Re: claims 7-9, Noboru further shows a second side surface of block portion 74 extending from the radial outer peripheral surface to the main shaft member 56; and the hollow portion 74 directly surrounds the second side surface which extends along the axial direction as marked above. Furthermore, the second side surface of the block portion 78 is parallel to the first side surface as shown in figure 2 of Noboru.

Response to Arguments

3. Applicant's arguments filed 9/28/05 have been fully considered but they are not persuasive. Applicant argues that Noboru's hollow portion 74 is not extending towards an open end of the bushing but extending towards the flange 30. This extending direction is opposite of Applicant's claimed invention. Applicant is reminded that the main shaft of Noboru as being relied upon for the rejection is 56 and not 12. Noboru's bushing's open end is end 58 in figure 2 of Noboru. Hence, the hollow portion 74 is extending towards an open end as Applicant's hollow portion 31. Applicant also argues about the Examiner's interpretation of the end face of Noboru. Regretfully, the attached drawing is missing from the Response. Hence, the Examiner is unclear of the argument. To clarify the interpretation of Noboru in the rejection of the claimed invention, more figures are included in the Office Action. The rejection is still deemed proper and is repeated above.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan Nguyen whose telephone number is (571) 272-7121. The examiner can normally be reached on M-F, 8 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James McClellan can be reached on (571) 272-6786. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lan Nguyen
Primary Examiner
Art Unit 3683

Lan Nguyen 12/7/05